

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)
 Plaintiff,)
)
vs.) Case No. 14-20065-01-JAR
)
BRENDA WOOD,)
 Defendant.)

)

ORDER

NOW on this 30th day of October, 2015, the above-entitled matter comes before the Court upon the motion of counsel for the accused for an order granting additional time of one day to file motions herein.

The Court, after reviewing the motion and being fully advised in the premises, finds that additional time is required for counsel to complete research and preparation of any necessary pretrial motions. Counsel for the government has no objection to this request for additional time.

Such continuance outweighs the best interest of the public and the defendant in a speedy trial, as set out in 18 U.S.C. § 3161(h)(7). Although delay resulting from a continuance granted by the district court is not automatically excluded from the Speedy Trial Act’s 70-day time limit under 18 U.S.C. § 3161(h)(1), subsection (h)(7) provides “[m]uch of the Act’s flexibility,” *Zedner v. United States*, 547 U.S. 489, 498 (2009), and gives district courts “discretion . . . to accommodate limited delays for case-specific needs,” *id.* at 499. Delay granted pursuant to § 3161(h)(7) may be excluded if the district court makes the findings required by 18 U.S.C. § 3161(h)(7). *Bloate v. United States*, 559 U.S. 196 (2010).

Failure to grant additional time would deny counsel for the defendant the reasonable time necessary for effective preparation¹ for either a plea or trial. This also conforms with the requirements of *United States v. Toombs*, 574 F.3d 1262 (10th Cir. 2009).

IT IS THEREFORE ORDERED that the Motion for Additional Time to File Pretrial Motions is granted.

IT IS FURTHER ORDERED that the accused shall have additional time up to and including November 2, 2015, to file motions in the above-entitled action. The government's response deadline will be set for November 16, 2015. The motion hearing date will remain scheduled for December 7, 2015, at 9:00 a.m.

Dated: October 30, 2015

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE

¹18 U.S.C. § 3161(h)(7)(B)(iv).